

OFFICIAL FILE
ILLINOIS COMMERCE COMMISSION

ORIGINAL

(File this application via e-docket, or if unable to do so, file one original verified application with the Chief Clerk.)

Docket No. 03-0502
[ICC Office Use Only]

Please provide the appropriate information in the () areas in the heading below.

Ernest Communications, Inc.

Application for a certificate of
local exchange authority
to operate as a facilities-based provider and
reseller of telecommunications services
in the State of Illinois.

03-0502

**APPLICATION FOR CERTIFICATE TO BECOME A
TELECOMMUNICATIONS CARRIER**
(Use additional sheets as necessary.)

GENERAL

1. Applicant's Name (including d/b/a, if any)

FEIN # 58-2395113

Ernest Communications, Inc.

Address: Street 5275 Triangle Parkway, Suite 150

City Norcross State/Zip Georgia 30092

2. Authority Requested: (Mark all that apply) 13-403 Facilities Based Interexchange

X 13-404 Resale of Local and/or Interexchange

X 13-405 Facilities Based Local

3. Request for waivers/variances: In applications for local exchange service authority under Sections 13-404 or 13-405, waivers of Part 710 and of Section 735.180 of Part 735 are generally requested. In applications for interexchange service authority under Sections 13-403 and 13-404, waivers of Part 710 and Part 735 are generally requested. Please indicate which waivers Applicant is requesting and explain why Applicant is requesting each waiver/variance.

(See Attachment Q-3 hereto)

X Part 710 Uniform System of Accounts for Telecommunications Carriers

X Part 735 Procedures Governing the Establishment of Credit, Billing, Deposits, Termination of Service and Issuance of Telephone Directories for Local Exchange Telecommunications Carriers in the State of Illinois (for long distance operations)

X Section 735.180 Directories (for local exchange operations)

Other

- Applicant seeks authority to provide facilities-based and resold local exchange service statewide in the State of Illinois. Applicant will initially provide service in the Illinois areas served by Ameritech and Verizon, as well as those areas served by smaller incumbent local exchange carriers in which the Commission has authorized competition. Applicant will provide resold interexchange service on a statewide basis.

- a) issues related to processing this application (See Attachment Q-6 hereto)
- b) consumer issues (See Attachment Q-6 hereto)
- c) customer complaint resolution (See Attachment Q-6 hereto)
- d) technical and service quality issues (See Attachment Q-6 hereto)
- e) "tariff" and pricing issues (See Attachment Q-6 hereto)
- f) 9-1-1 issues (See Attachment Q-6 hereto)
- g) security/law enforcement (See Attachment Q-6 hereto)

7. Please check type of organization?

☐ Individual
☐ Partnership
☐ Other (Specify) _____

☒ X Corporation
 Date formed May 11, 1998
 In what state? Georgia

- (See Attachment Q-9 hereto).

- YES (Please provide details) X NO

- _____ YES X NO

If YES, describe fully. _____

12. Has Applicant provided service under any other name?

☒ YES ☐ NO

If YES, please list. Ernest Communications of Virginia, Inc

13. Will the Applicant keep its books and records in Illinois? ☐ YES ☒ NO

If NO, permission pursuant to 83 Ill. Adm Code Part 250 needs to be requested.

(See Attachment Q-13 hereto)

MANAGERIAL

14. Please attach evidence of the applicant's managerial and technical resources and ability to provide service. This may be in either narrative form, resumes of key personnel, or a combination of these forms.

(See Attachment Q-14 hereto)

15. List officers of Applicant.

(See Attachment Q-15 hereto)

16. Does any officer of Applicant have an ownership or other interest in any other entity which has provided or is currently providing telecommunications services? ☒ YES ☐ NO

If YES, list entity. (See Attachment 16 hereto).

17. How will Applicant bill for its service(s)? (At a minimum, describe how often the Applicant will bill for service and details of the billing statement.)

(See Attachment Q-17 hereto)

18. How does Applicant propose to handle service, billing, and repair complaints? (At a minimum, describe Applicant's internal process for complaint resolution, the complaint escalation process, the timeframe and process by which the customer is notified by Applicant that they may seek assistance from the Commission?)

(See Attachment Q-18 hereto)

19. Will personnel be available at Applicant's business office during regular working hours to respond to inquiries about service or billing? ☒ YES ☐ NO

20. What telephone number(s) would a customer use to contact your company?

(800) 456-8353

21. Will Applicant abide by all Federal and State slamming and cramming laws pursuant to Section 13-902 of the Public Utilities Act and Section 258 of the 1996 Telecommunications Act?

☒ YES ☐ NO

22. Please describe applicant's procedures to prevent slamming and cramming of customers?

(See Attachment Q-22 hereto)

23. If granted authority to operate as a local exchange carrier, will the applicant abide by the following 83 Illinois Administrative Code Parts: 705, 710, 720, 725, 730, 732, 735, 755, 756, 757, 770, and 772?

☒ YES ☐ NO (If no, please provide an explanation.)

24. Is Applicant aware that it must file tariffs prior to providing service in Illinois?

☒ YES ☐ NO

FINANCIAL

25. Please attach evidence of Applicant's financial fitness through the submission of its most current income statement and balance sheet, or other appropriate documentation of applicant's financial resources and ability to provide service. (See Attachment Q-25 hereto)

TECHNICAL

26. Does Applicant utilize its own equipment and/or facilities? ☒ YES ☐ NO

If YES, please list the facilities Applicant intends to utilize. Also include evidence that Applicant possesses the necessary technical resources to deploy and maintain said facilities:

For its local exchange operations, Applicant intends to provide service in the State of Illinois through the use of an unbundled network element platform (UNE-P) strategy and resale. Applicant will provide services to its customers through a combination of leased and owned network facilities and resold services. Applicant will lease substantially all of the unbundled network elements necessary to provide service to customers from incumbent local exchange carriers. Interexchange service will be provided exclusively on the basis of resale using the facilities of underlying carriers.

If NO, which facility provider(s)'s services does the Applicant intend to use?

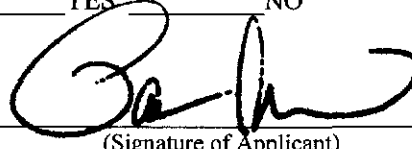
27. Please describe the nature of service to be provided (e.g., operator services, internet, debit cards, long distance service, data services, local service, prepaid local service).

(See Attachment Q-27 hereto)

28. Will technical personnel be available at all times to assist customers with service problems?

☒ YES ☐ NO

29. If Applicant intends to provide payphone service, will the equipment utilized comply with FCC requirements and Finding (9) of the Commission Order entered in Docket No. 84-0442 on June 11, 1986, including, but not limited to: (a) touch dialing; (b) access to 9-1-1 and "0" operator dialing without use of a coin; (c) rules governing use of payphones by disabled persons; (d) ability to complete local and long-distance calls; (e) unlimited duration for local calls; and (f) a message explaining the telephone's general operations, dialing instructions for emergency assistance, payphone owner's name, method of reporting service problems and method of receiving credit for faulty calls? _____ YES _____ NO _____ N/A



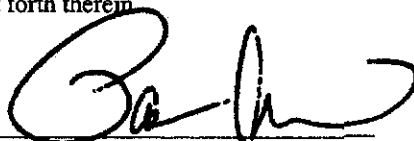
(Signature of Applicant)

VERIFICATION

OATH

State of Georgia)
County of Gwinnett) ss

J. Paul Masters makes oath and says that he is President of Ernest Communications, Inc., that he has examined the foregoing application and that to the best of his knowledge, information, and belief, all statements of fact contained in the said application are true, and the said application is a correct statement of the business and affairs of the above-named applicant in respect to each and every matter set forth therein.



J. Paul Masters
President
Ernest Communications, Inc.

Subscribed and sworn to before me, a Notary Public/ Pamela M. Ernest
in the State and County above named, this 4 day of September, 2003.

